

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

CLINICAL COLLEAGUES, INC.

and

Case 10-CA-156810

**NATIONAL NURSES ORGANIZING
COMMITTEE (NNOC)**

ORDER¹

The petition to revoke subpoena duces tecum B-1-OH4BBT, filed by Clinical Colleagues, Inc., is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Petitioner has failed to establish any other legal basis for revoking the subpoena.² See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., February 11, 2016

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

LAUREN McFERRAN, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² To the extent that the Petitioner has provided some of the requested material, it is not required to produce that information again, provided that the Petitioner accurately describes which documents under subpoena it has already provided, states whether those previously-provided documents constitute all of the requested documents, and provides all of the information that was subpoenaed.

To the extent that the subpoena encompasses some documents that the Petitioner believes in good faith to be subject to the attorney-client privilege or the attorney work product doctrine, this Order is without prejudice to the Petitioner's prompt submission of a privilege log to the Region identifying and describing each such document, and providing sufficient detail to permit an assessment of the Petitioner's claim of privilege or protection. The Petitioner is directed to produce all responsive documents in its possession not subject to any good-faith claim of privilege or protection.